

-YALE COLLEGE- DEMOCRATS

Testimony of Maxwell Ulin
President, Yale College Democrats

March 1, 2016
#L21 345 Temple Street
New Haven, CT
06511

In favor: H.B. 5376
An Act Concerning Affirmative Consent

Members of the Committee,

There are currently three colleges in the state of Connecticut that have adopted affirmative consent policies to protect students from sexual assault: UConn, Wesleyan University, and Yale. While some legislators have feared the effects of mandating affirmative consent policies for schools statewide, students from all three of these schools can attest to relatively uncontroversial nature of these measures on campus, and how these policies have positively impacted student life by changing student culture and providing important protections to victims of sexual assault.

Over the course of my three years as a Yale undergraduate, I have met many wonderful people--both men and women--who have at one point in college found themselves the victims of sexual abuse. A recent college survey found that **1 in 4** Yale students experience some form of sexual assault during their time on campus. And this is not a Yale-specific problem; the pervasiveness of sexual assault on college campuses has gained national attention, with public figures speaking out, like Vice President Joe Biden at this past Sunday's Oscars. The reality of this issue is unacceptable. Public and private college alike throughout our state have a responsibility to do everything within their power to reduce incidences of sexual misconduct and to protect the rights of student victims. Part of that effort involves rejecting the outdated policies that say that consent for sex is granted until proven otherwise.

Permission to engage in sexual intercourse with a person should never be presumed. Frankly, this seems intuitive: permission is granted *when it is granted, when it is affirm*--not so long as no one says, "No." When I was really little, my sister I would get into fights all the time, and she would scream at me. One of those time my mom spun around and told my sister that she should couldn't do that, and so my sister started kicking me. When my mom said, "What made you think that was all right?" my sister said, "Well, you didn't say I couldn't kick him." Just as it seems silly to presume that you have the right to kick someone until told otherwise, it's childish and even dangerous to assume that one has the right to engage in something as intimately personal sexual intercourse so long as the person in question does not say otherwise.

This bill seeks to change the university definition of sexual assault, so that instances in which consent is not expressly given--in addition to instances where a person says no--also may fit the definition of sexual misconduct. This bill does not, as some legislators suggested last year, ask students to sign waivers before a sexual encounter, nor does it shift the burden of proof to the accused, as some have argued. These allegations constitute serious misunderstandings of the bill's content that could be easily resolved with just a slight bit of research or a conversation with the bill's sponsors.

Yet if doubts still remain, legislators ought to look to examples set by Yale, UConn, and Wesleyan--schools that have already adopted affirmative consent practices--to see whether any of these wild allegations have actually born out. The answer is no, and as you see today, the very student most familiar with affirmative consent and effects of its implimentation are now before you, urging for the passage of this bill. With an overwhelming 39-1 vote in favor of this bill last year in the State Senate, it is time for House to act and prove that its members stand by college students and victims of sexual assault.

We look forward to a speedy vote by the committee in favor of HB 5376 and look forward to a timely vote on the House Senate floors this session. Thank you.